(2)

P.R. No. 1847/06
Presented by Shri Sevenu
dated 30/6/06

(3)

Division Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

M.A. No. 123 /2006

Single Bench

APPELLANTS :
NON-APPLICANT no.2

Pawan Kumar Agrawal S/o L.R. Agrawal,
R/o 159 Nagar Nigam Colony Raipur,
Tah. & Distt. Raipur

VERSUS

RESPONDENTS:
APPLICANTS

1. Basant Kumar, S/o Sri Halalkhor Dhruv,
Aged about 32 Yrs.

2. Lata Bai, W/o Basant Kumar, aged
about 30 Yrs.
Both R/o Bhawani Nagar Jarera,
Labhandi Raipur (C.G.)

RESPONDENTS:
NON-APPLICANTno.1

3. Mahaveer Singh S/o Dayal Singh Thakur,
R/o Gogaon, P.S. Urala(Raipur), Distt.
Raipur(C.G.)

Miscellaneous Appeal under Section 173 of the Motor Vehicle Act, 1994

AI-NC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

(17)

मामला क्रमांक M.A.No.123/2006 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

(C)

Misc. Appeal No. 123/2007

APPELLANT
Non-applicant No. 2

Pawan Kumar Agrawal, S/o. L.R. Agrawal, R/o. 159 Nagar Nigam Colony, Raipur Tah. & Distt. Raipur

Versus

RESPONDENTS
Applicants

1. Basant Kumar, S/o. Sri Halalkhor Dhruv, aged about 32 years
2. Lata Bai, W/o. Basant Kumar, aged about 30 years.

Both R/o. Bhawani Nagar Jarera, Labhandi, Raipur (C.G.)

RESPONDENTS
Non-applicant No. 1

3. Mahaveer Singh, S/o. Dayal Singh Thakur, R/o. Gogaon, P.S. Urala (Raipur), Distt. Raipur (C.G.)

SB: HON'BLE SHRI JUSTICE DHIRENDRA MISHRA, J

3-5-2007

Shri S.C. Verma, Advocate for the appellant.

Heard on M.(C.)P. No. 1533/2006, application for condonation of delay in filing the appeal as this appeal has been preferred with a delay of 31 days as per office note dated 30-6-2006.

The reason assigned for delay in filing the appeal is that the appellant is a layman and he was not having the knowledge of period for filing the appeal.

The reason assigned in the application for delay in filing the appeal is not sufficient. Even other wise, from perusal of the impugned award, it is observed that a sum of Rs. 1,54,500/- has been awarded to the parents of the deceased namely Basant Kumar and Lata Bai by assessing notional income of the deceased

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(1B)

आदेश पत्रक

मामला क्रमांक MACNo. 123/06 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

as Rs. 15,000/- per month and applying multiplier of 15 and deducting 1/3rd income which he would have otherwise spent towards his own expenses had he been alive. Thus the amount which has been awarded, in the opinion of this Court, is adequate, just and proper.

Accordingly the appeal is dismissed being barred by limitation as well as on merit.

Sd/-
Dhirendra Mishra
Judge

(पीछे देखिये)